

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MARK JAMEY BREMER,

Petitioner,

NO. CV-10-3091-LRS

VS.

JEFFREY A. UTTECHT,

Respondent.

ORDER DISMISSING PETITION

By Order filed December 23, 2010, the court advised Mr. Bremer of the deficiencies of his habeas petition, directed him to abandon frivolous legal arguments and to amend within sixty (60) days. Petitioner, is proceeding *pro se* and *in forma pauperis* ; Respondent has not been served.

Although cautioned that failing to amend as directed would result in dismissal of the Petition, Mr. Bremer has filed nothing further in this action. Accordingly, for the reasons set forth in the previous Order, **IT IS ORDERED** the Petition is **DISMISSED** in part as frivolous, *Blackledge v. Allison*, 431 U.S. 63, 78 (1977), and in part for failure to set forth in summary form the *facts* supporting each of the grounds specified and to state the relief requested. *See* Rule 4 of the Rules Governing Section 2254 Cases.

IT IS SO ORDERED. The District Court Executive is directed to enter this Order, enter judgment and forward copies to Petitioner at his last known address. The court further certifies that pursuant to 28 U.S.C. § 1915(a)(3), an appeal from this

1 decision could not be taken in good faith, and there is no basis upon which to issue a
2 certificate of appealability. 28 U.S.C. § 2253(c); Fed. R.App. P. 22(b).

3 **DATED** this 3rd day of March, 2011.

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5 *s/Lonny R. Sukko*

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7 LONNY R. SUKO
8 UNITED STATES DISTRICT JUDGE
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